IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2874 OF 2006
IN
ARBITRATION APPLICATION NO.156 OF 2006

M/s.Tata Industries Ltd & Anr. ..Applicants

V/s.

Grasim Industries Ltd. ..Respondent

Shri.Haresh Salve with Janak Dwarkadas & D.Y. Khembata i/b Federal & Rashmikant for the applicants.

Shri.Venu Gopal Sr.Counsel with Virendra Tulzapurkar, Rohit Kapadia, Vinay Tulzapurkar, Ketan Parikh, B.B. Sorat, Vikram Trivedi, Ms.Rajshree Rastogi, Sachin Chandrana, Devyash Chaurasia, Gaurav Panchnanda, Sanjee Adalke i/b Manilal & Kher & Ambalal & Co. for the respondent.

CORAM : D.K. DESHMUKH, J.

DATED : 08/09/2006

P.C.:-

1. Learned counsel appearing for the respondent states that arbitration between parties is an international commercial arbitration and therefore, constitution of arbitral tribunal in terms of provisions of sub section(12) of Section 11 has to be by the Chief Justice of India.

2. In view of the statement made by the learned counsel for the respondents, application is allowed to be withdrawn with a liberty to adopt appropriate proceedings. Learned counsel for the applicants states that applicants would file application before the Chief Justice of India for constitution of arbitral tribunal.

(D.K. DESHMUKH, J.)